

Rev 01/10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application : Frank Joseph Pompei
Application No. : 10/525,539
Filed : February 24, 2005
Patent No. : 7,596,228
Issued : September 29, 2009
Title : PARAMETRIC ARRAY MODULATION AND
PROCESSING METHOD
Confirmation No. : 7088
Attorney's Docket No. : HOLOS-004BX

**REQUEST FOR RECALCULATION OF PATENT TERM ADJUSTMENT
IN VIEW OF *WYETH****

Via Electronic Filing
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PATENTEE HEREBY REQUESTS RECALCULATION OF THE PATENT TERM ADJUSTMENT (PTA) UNDER 35 USC 154(b) INDICATED ON THE ABOVE-IDENTIFIED PATENT. THE PATENTEE'S SOLE BASIS FOR REQUESTING THE RECALCULATION IS THE USPTO'S PRE-*WYETH* INTERPRETATION OF 35 U.S.C. 154(b)(2)(A).

**Wyeth v. Kappos*, No. 2009-1120 (Fed. Cir., Jan. 7, 2010).

Respectfully submitted,

Dated: February 18, 2010

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